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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FRANCES ANNE RAMSEY, on
behalf of herself and all others
similarly situated,

Plaintiff,

vs.

PRIME HEALTHCARE SERVICES,
INC.; and DOES 1 through 10,
inclusive,

Defendants.

} **Case No.: SACV 08-820 AG (SSx)**
FINAL JUDGMENT AND ORDER

JUDGMENT AND ORDER

2 **WHEREAS** a hearing having been held before this Court, pursuant to the
3 Preliminary Approval Order entered January 14, 2010 and subsequently amended on
4 February 11, 2010, to determine: (1) whether the terms and conditions of the Settlement
5 Agreement and Release Between the Class and Defendant Prime Healthcare Services, Inc.,
6 dated September 25, 2009 and which is attached to the Preliminary Approval Order as
7 Exhibit "1" (the "Settlement Agreement"), are fair, reasonable and adequate for the
8 settlement of all claims asserted by the Class against the named defendant in the Complaint
9 now pending in this Court under the above caption, including the release of the defendant
10 and the Released Parties, and should be approved; and (2) whether judgment should be
11 entered dismissing the Complaint on the merits and with prejudice in favor of the defendant
12 and as against all persons or entities who are members of the Class herein who have not
13 requested exclusion therefrom. The Court having considered all matters submitted to it at
14 the hearing and otherwise; and it appearing that a notice of the hearing substantially in the
15 form approved by the Court, and all capitalized terms used herein having the meanings as
16 set forth and defined in the Settlement Agreement.

17 **WHEREAS** in the Preliminary Approval Order this Court certified a nationwide
18 class, for settlement purposes only, defined as follows: “All consumers who received a debt
19 collection communication from Action Collection Services dated May 1, 2008, that sought
20 payment for certain medical charges” (the “Class”).

21 **WHEREAS** the Court is informed that the class is comprised of 3,382 members, that
22 1 member of the Class opted out and that no objections were filed and received.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

24 1. For purposes of this Final Judgment and Order the Court adopts and
25 incorporates the definitions in the Settlement Agreement;

26 2. The Notice of Pendency of Class Action (the “Notice”) provided by mail to
27 each member of the Class for whom Defendant has a name and postal address is hereby
28 determined to be the best practicable notice under the circumstances and satisfies the
requirements of Rule 23 of the Federal Rules of Civil Procedure and due process;

1 3. This action satisfies the applicable prerequisites for class treatment as the Class
2 is so numerous that joinder of all members is impracticable, there are questions of law and
3 fact common to the Class, the claims of the representative of the Class are typical of the
4 claims of the members of the Class, and the representative of the Class has fairly and
5 adequately protected the interests of the members of the Class. Further, questions of law
6 and fact common to the members of the Class predominate over any questions affecting
7 only individual members, and a class action is superior to other available methods for the
8 fair and efficient adjudication of the controversy;

9 4. The following individual filed a written request to be excluded from the
10 settlement and has therefore opted out:

11 NAME:

12 Alicia A. Fernandez, Phelan, CA (**"Fernandez"**)

13 5. The Court finds that the settlement submitted by the parties is fair, reasonable
14 and made in good faith, and approves it, including:

- 15 (a) the Release;
- 16 (b) the payment to the members of the Class as set out in the Settlement
17 Agreement;
- 18 (c) the \$1,000.00 payment to Frances Anne Ramsey; and
- 19 (d) \$60,000 for attorney's fees and costs incurred by counsel for
20 the plaintiff and for the Class.

21 6. This Final Judgment and Order and the Settlement Agreement shall not be
22 offered as evidence of any such liability or wrongdoing in this or any future proceeding.

23 7. Plaintiff and each and every member of the settlement class are hereby
24 permanently enjoined and barred forever from asserting or prosecuting, either directly or
25 indirectly, all the Released Claims that they had, have or may have against the Released
26 Parties;

27 8. The Court dismisses the claims of plaintiff and the class against defendant
28 Prime Healthcare Services, Inc. with prejudice and without costs except as set out herein;

9. Exclusive and continuing jurisdiction is hereby retained over the parties and the Class members for all matters relating to this litigation, including the administration, interpretation, effectuation or enforcement of this Order; and

10. This Final Judgment and Order is a final judgment for purposes of appeal. There being no just reason for delay in the entry of final judgment the Clerk is hereby directed to enter judgment thereon.

Done and Entered this date, APRIL 19, 2010


Honorable Andrew J. Guilford, Judge
United States District Court
Central District of California

Done and Entered this date, April 19, 2010

By the Court:

YBredale
Deputy Clerk